



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JMS/DGR/NJM
F. #2017R01254

*271 Cadman Plaza East
Brooklyn, New York 11201*

April 22, 2020

By ECF

The Honorable Pamela K. Chen
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Jeffrey Bush et al.
Criminal Docket No. 19-378 (S-1) (PKC)

Dear Judge Chen:

The government respectfully writes in response to the Court's April 15, 2020 Order directing the government to file a status report in the above-referenced matter, including the defendants' positions regarding the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, beyond April 27, 2020.

The government first writes to apprise the Court of the current status of the defendants. Six of the nine charged defendants have been presented and arraigned before this Court.¹ Of these six defendants, five—all but defendant Respass—are currently detained.

Three additional defendants have not yet appeared in the Eastern District of New York. In March 2020, a writ ad prosequendum was provided to the United States Marshals Service (the "Marshals Service") to require defendant India Lane to be transferred into federal custody from the New York State Department of Corrections and Community Supervision; she remains in New York State custody as of the date of this letter. Defendant Marvin Pippins was apprehended on April 11, 2020, in Stroudsburg, Pennsylvania, and presented in the Eastern District of Pennsylvania, where he was ordered removed to the

¹ One defendant, however—Jeffrey Bush—has yet to be arraigned on the Superseding Indictment. The government therefore requests, and counsel does not object to, a teleconference date with the Court or with the duty magistrate judge, to arraign defendant Bush on the Superseding Indictment.

Eastern District of New York in the custody of the Marshals Service. Pippins is currently pending transfer to this District. Defendant Louis Love is still at large and has not yet been apprehended, although the government believes he is aware of the charges pending against him.

The government has made its initial production of discovery to defendants who were arraigned on the Superseding Indictment (and substantial discovery productions to Bush), and the government has been in regular communication with defense counsel in reference to its plan to produce additional discovery subject to a protective order to be negotiated by the parties and entered by the Court. The government has also engaged in some preliminary discussions with counsel about possible resolutions of the case.

In accordance with the Court's order, the government has consulted with counsel for the six defendants who have appeared, and they all consented to an exclusion of time through May 29, 2020.² The government proposes to schedule an additional update letter to be due on that date and notes that, based on the reasons in the Court's Administrative Order and the parties' consent, time is excluded through June 15, 2020.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/ Nicholas J. Moscow
Jennifer M. Sasso
Drew G. Rolle
Nicholas J. Moscow
Assistant U.S. Attorneys
(718) 254-7000

cc: Defense counsel (by ECF)

² This request was made prior to the entry of Administrative Order No. 2020-15, which excluded time under the Speedy Trial Act between April 27, 2020, and June 15, 2020.